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the optional low mass emissions methodology in § 75.19(c) to calculate NO_x mass emissions, the designated representative must also report tons (rounded to the nearest tenth) of NO_x emitted during the quarter and cumulative NO_x mass emissions for the calendar year.

(14) For low mass emissions units using the optional long term fuel flow methodology under § 75.19(c), for each quarter report the long term fuel flow for each fuel according to § 75.58(f)(2).

(15) For units using the optional fuel flow to load procedure in section 2.1.7 of appendix D to this part, report both the fuel flow-to-load baseline data and the results of the fuel flow-to-load test each quarter.

(b) The designated representative shall affirm that the component/system identification codes and formulas in the quarterly electronic reports, submitted to the Administrator pursuant to § 75.53, represent current operating conditions.

(c) *Compliance certification.* The designated representative shall submit a certification in support of each quarterly emissions monitoring report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall indicate whether the monitoring data submitted were recorded in accordance with the applicable requirements of this part including the quality control and quality assurance procedures and specifications of this part and its appendices, and any such requirements, procedures and specifications of an applicable excepted or approved alternative monitoring method. For a unit with add-on emission controls, the designated representative shall also include a certification, for all hours where data are substituted following the provisions of § 75.34(a)(1), that the add-on emission controls were operating within the range of parameters listed in the monitoring plan and that the substitute values recorded during the quarter do not systematically underestimate SO₂ or NO_x emissions, pursuant to § 75.34.

(d) *Electronic format.* Each quarterly report shall be submitted in a format

to be specified by the Administrator, including both electronic submission of data and (unless otherwise approved by the Administrator) electronic submission of compliance certifications.

(e) [Reserved]

(f) *Method of submission.* Beginning with the quarterly report for the first quarter of the year 2001, all quarterly reports shall be submitted to EPA by direct computer-to-computer electronic transfer via EPA-provided software, unless otherwise approved by the Administrator.

(g) At his or her discretion, the DR may include important explanatory text or comments with an electronic quarterly report submittal, so long as the information is provided in a format that is compatible with the other data required to be reported under this section.

[64 FR 28622, May 26, 1999, as amended at 67 FR 40444, June 12, 2002; 73 FR 4357, Jan. 24, 2008; 76 FR 17317, Mar. 28, 2011]

§ 75.65 Opacity reports.

The owner or operator or designated representative shall report excess emissions of opacity recorded under § 75.57(f) to the applicable State or local air pollution control agency.

[64 FR 28623, May 26, 1999, as amended at 67 FR 40444, June 12, 2002]

§ 75.66 Petitions to the Administrator.

(a) *General.* The designated representative for an affected unit subject to the requirements of this part may submit a petition to the Administrator requesting that the Administrator exercise his or her discretion to approve an alternative to any requirement prescribed in this part or incorporated by reference in this part. Any such petition shall be submitted in accordance with the requirements of this section. The designated representative shall comply with the signatory requirements of § 72.21 of this chapter for each submission.

(b) *Alternative flow monitoring method petition.* In cases where no location exists for installation of a flow monitor in either the stack or the ducts serving an affected unit that satisfies the minimum physical siting criteria in appendix A of this part or where installation

of a flow monitor in either the stack or duct is demonstrated to the satisfaction of the Administrator to be technically infeasible, the designated representative for the affected unit may petition the Administrator for an alternative method for monitoring volumetric flow. The petition shall, at a minimum, contain the following information:

(1) Identification of the affected unit(s);

(2) Description of why the minimum siting criteria cannot be met within the existing ductwork or stack(s). This description shall include diagrams of the existing ductwork or stack, as well as documentation of any attempts to locate a flow monitor; and

(3) Description of proposed alternative method for monitoring flow.

(c) *Alternative to standards incorporated by reference.* The designated representative for an affected unit may apply to the Administrator for an alternative to any standard incorporated by reference and prescribed in this part. The designated representative shall include the following information in an application:

(1) A description of why the prescribed standard is not being used;

(2) A description and diagram(s) of any equipment and procedures used in the proposed alternative;

(3) Information demonstrating that the proposed alternative produces data acceptable for use in the Acid Rain Program, including accuracy and precision statements, NIST traceability certificates or protocols, or other supporting data, as applicable to the proposed alternative.

(d) *Alternative monitoring system petitions.* The designated representative for an affected unit may submit a petition to the Administrator for approval and certification of an alternative monitoring system or component according to the procedure in subpart E of this part. Each petition shall contain the information and data specified in subpart E, including the information specified in § 75.48, in a format to be specified by the Administrator.

(e) *Parametric monitoring procedure petitions.* The designated representative for an affected unit may submit a petition to the Administrator, where each

petition shall contain the information specified in § 75.58(b) for the use of a parametric monitoring method. The Administrator will either:

(1) Publish a notice in the FEDERAL REGISTER indicating receipt of a parametric monitoring procedure petition; or

(2) Notify interested parties of receipt of a parametric monitoring petition.

(f) [Reserved]

(g) *Petitions for emissions or heat input apportionments.* The designated representative of an affected unit shall provide information to describe a method for emissions or heat input apportionment under §§ 75.13, 75.16, 75.17, or appendix D of this part. This petition may be submitted as part of the monitoring plan. Such a petition shall contain, at a minimum, the following information:

(1) A description of the units, including their fuel type, their boiler type, and their categorization as Phase I units, substitution units, compensating units, Phase II units, new units, or non-affected units;

(2) A formula describing how the emissions or heat input are to be apportioned to which units;

(3) A description of the methods and parameters used to apportion the emissions or heat input; and

(4) Any other information necessary to demonstrate that the apportionment method accurately measures emissions or heat input and does not underestimate emissions or heat input from affected units.

(h) *Partial recertification petition.* The designated representative of an affected unit may provide information and petition the Administrator to specify which of the certification tests required by § 75.20 apply for partial recertification of the affected unit. Such a petition shall include the following information:

(1) Identification of the monitoring system(s) being changed;

(2) A description of the changes being made to the system;

(3) An explanation of why the changes are being made; and

(4) A description of the possible effect upon the monitoring system's ability

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to measure, record, and report emissions.

(i) [Reserved]

(j) *Petition for alternative method of accounting for emissions prior to completion of certification tests.* The designated representative for an affected unit may submit a petition to the Administrator to use an alternative to the procedures in § 75.4(d)(3), (e)(3), (f)(3) or (g)(3) to account for emissions during the period between the compliance date for a unit and the completion of certification testing for that unit. The designated representative shall include:

(1) Identification of the affected unit(s);

(2) A detailed explanation of the alternative method to account for emissions of the following parameters, as applicable: SO₂ mass emissions (in lbs), NO_x emission rate (in lbs/mmBtu), CO₂ mass emissions (in lbs) and, if the unit is subject to the requirements of subpart H of this part, NO_x mass emissions (in lbs); and

(3) A demonstration that the proposed alternative does not underestimate emissions.

(k) *Petition for an alternative to the stabilization criteria for the cycle time test in section 6.4 of appendix A to this part.* The designated representative for an affected unit may submit a petition to the Administrator to use an alternative stabilization criteria for the cycle time test in section 6.4 of appendix A to this part, if the installed monitoring system does not record data in 1-minute or 3-minute intervals. The designated representative shall provide a description of the alternative criteria.

(l) *Any other petitions to the Administrator under this part.* Except for petitions addressed in paragraphs (b) through (k) of this section, any petition submitted under this paragraph shall include sufficient information for the evaluation of the petition, including, at a minimum, the following information:

(1) Identification of the affected plant and unit(s);

(2) A detailed explanation of why the proposed alternative is being suggested in lieu of the requirement;

(3) A description and diagram of any equipment and procedures used in the proposed alternative, if applicable;

(4) A demonstration that the proposed alternative is consistent with the purposes of the requirement for which the alternative is proposed and is consistent with the purposes of this part and of section 412 of the Act and that any adverse effect of approving such alternative will be *de minimis*; and

(5) Any other relevant information that the Administrator may require.

[58 FR 3701, Jan. 11, 1993, as amended at 60 FR 26540, 26569, May 17, 1995; 61 FR 59162, Nov. 20, 1996; 64 FR 28623, May 26, 1999; 67 FR 40444, June 12, 2002; 73 FR 4358, Jan. 24, 2008]

§ 75.67 Retired units petitions.

(a) [Reserved]

(b) For combustion sources seeking to enter the Opt-in Program in accordance with part 74 of this chapter that will be permanently retired and governed upon entry into the Opt-in Program by a thermal energy plan in accordance with § 74.47 of this chapter, an exemption from the requirements of this part, including the requirement to install and certify a continuous emissions monitoring system, may be obtained from the Administrator if the designated representative submits to the Administrator a petition for such an exemption prior to the deadline in § 75.4 by which the continuous emission or opacity monitoring systems must complete the required certification tests.

[60 FR 17131, Apr. 4, 1995, as amended at 60 FR 26541, May 17, 1995; 62 FR 55487, Oct. 24, 1997]

Subpart H—NO_x Mass Emissions Provisions

SOURCE: 63 FR 57507, Oct. 27, 1998, unless otherwise indicated.

§ 75.70 NO_x mass emissions provisions.

(a) *Applicability.* The owner or operator of a unit shall comply with the requirements of this subpart to the extent that compliance is required by an applicable State or federal NO_x mass emission reduction program that incorporates by reference, or otherwise adopts the provisions of, this subpart.